

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

<p>DANIEL TRIPLETT,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>LANIE D. HEARN; UNIVERSAL PROTECTION SERVICE, LLC; MICHAEL STAPLETON ASSOCIATES, LTD., CORPORATION; PEOPLEMARK, INC.; PEOPLEMARK LLC; ALLIED UNIVERSAL (Technology Services) aka Securadyne Systems Intermediate LLC; JOHN DOES A-D,</p> <p style="text-align: center;">Defendants</p>	<p>CIVIL ACTION FILE</p> <p>NO. 2:22-CV-2561</p> <p>JURY TRIAL DEMANDED</p>
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NOTICE OF REMOVAL

Defendants Michael Stapleton Associates, Ltd. Corporation, Peplemark, Inc. and Peplemark LLC (collectively, “Defendants”) by and through its undersigned counsel, pursuant to 28 U.S.C. §§ 1441, 1446, and 1332, hereby file this Notice of Removal of the above-styled action from the Circuit Court for Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, respectfully showing this Honorable Court as follows:

1. Pursuant to 28 U.S.C. § 1446(a), Defendants have attached all process, pleadings, and other documents served upon them in the State Court Action to this Notice of Removal. (*See Exhibit A*).
2. Pursuant to 28 U.S.C. § 1332, this Court has jurisdiction over this action because there is complete diversity of citizenship between the Plaintiff and Defendants.

3. Plaintiff's Complaint alleges that Plaintiff, Daniel Triplett, is a citizen and resident of Desoto County, Mississippi.

4. Plaintiff's Complaint alleges that Defendant Lanie D. Hearn is an adult resident of Memphis, Shelby County, Tennessee.

5. Plaintiff's Complaint alleges that Defendant Universal Protection Service, LLC is a Limited Liability Company doing business in the state of Tennessee. Defendant Universal Protection Service, LLC's principal place of business is located in Pennsylvania, it is a Delaware entity, and none of its members are residents of Mississippi.

6. Plaintiff's Complaint alleges that Defendant Michael Stapleton Associates, Ltd. Corporation is a Limited Liability Company doing business in the state of Tennessee and whose principal office is located in New York, New York. Defendant Michael Stapleton Associates, Ltd. is a Delaware Corporation.

7. Plaintiff's Complaint alleges that Defendant Peplemark, Inc. is a Limited Liability Company doing business in the state of Tennessee and whose principal office is located in Santa Ana, CA. Defendant Peplemark, Inc. is a Delaware Corporation.

8. Plaintiff's Complaint alleges that Defendant Peplemark, LLC is a Limited Liability Company doing business in the state of Tennessee and whose principal office is located in Santa Ana, CA. Defendant Peplemark, LLC is a Delaware entity, and none of its members are residents of Mississippi.

9. Plaintiff's Complaint alleges that Defendant Universal Protection Service, LLC d/b/a Allied Universal Security Services, LLC (i/p/a "Allied Universal (Technology Services) aka Securadyne Systems Intermediate LLC") is a Corporation doing business in the state of Tennessee and whose principal office is located in Pennsylvania. Defendant Universal Protection Service,

LLC d/b/a Allied Universal Security Services, LLC (i/p/a “Allied Universal (Technology Services) aka Securadyne Systems Intermediate LLC”) is a Delaware entity and none of its members are residents of Mississippi.

10. On May 5, 2022, Plaintiff filed his Complaint in the Circuit Court of Shelby County, Tennessee, styled as *Daniel Triplett v. Lanie D. Hearn, Universal Protection Service, LLC, Michael Stapleton Associates, Ltd. Corporation, Peoplemark, Inc., Peoplemark, LLC and Allied Universal (Technology Services) aka Securadyne Systems Intermediate LLC and John Does A-D*, Civil Action No.: CT-5049-21 (the “State Court Action”). (See Complaint and Summons attached as **Exhibit A**).

11. In his Complaint, Plaintiff prays for damages in the amount of One Million dollars (\$1,000,000.00).

12. Defendant Universal Protection Service, LLC was served with the State Court Action on May 10, 2022.

13. Defendant Universal Protection Service, LLC d/b/a Allied Universal Security Services, LLC (i/p/a “Allied Universal (Technology Services) aka Securadyne Systems Intermediate LLC”) was served with the State Court Action on May 10, 2022.

14. Defendant Lanie D. Hearn was served with the State Court Action on May 14, 2022.

15. Defendants Lanie D. Hearn and Universal Protection Service, LLC d/b/a Allied Universal Security Services, LLC (i/p/a “Allied Universal (Technology Services) aka Securadyne Systems Intermediate LLC”) filed an Answer to the Complaint on June 29, 2022.

16. Defendant Michael Stapleton Associates, Ltd. Corporation was served with the State Court Action on July 28, 2022.

17. Defendant Peoplemark, Inc. was served with the State Court Action on July 29, 2022.

18. Defendant Peoplemark, LLC was served with the State Court Action on July 29, 2022.

19. It is uncontroverted that diversity of the parties exists, and that the amount in controversy exceeds \$75,000.00 in this case. Consequently, diversity jurisdiction exists in this case pursuant to 28 U.S.C. § 1332(a) and within thirty days of service of the State Court Action, Defendants Michael Stapleton Associates, Ltd., Peoplemark, LLC and Peoplemark, Inc. remove this matter from the Circuit Court for Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee.

20. All Defendants hereby consent to the removal of this matter from the Circuit Court for Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee.

21. Pursuant to 28 U.S.C. § 1446(d), Defendants hereby certify that they have notified all adverse parties of this Notice of Removal in the State Court Action by filing a “Notice of Filing Notice of Removal” attaching a copy of this “Notice of Removal” with the Clerk of the Circuit Court for Shelby County, Tennessee, which will send notifications of same to Plaintiff’s counsel and by mailing a copy to Plaintiff’s counsel via Certified Mail, Return Receipt Requested. (*See* Notice of Filing Notice of Removal, attached as **Exhibit B**).

WHEREFORE, Defendants Michael Stapleton Associates, Ltd. Corporation, Peoplemark, Inc. and Peoplemark LLC respectfully request that the United States District Court for the Western District of Tennessee effectuate removal of this case.

Respectfully submitted, this 26th day of August, 2022

**WILSON ELSE MOSKOWITZ
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/s/ James Burd

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Attorneys for Defendants

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF REMOVAL was electronically filed with the Court using the CM/ECF system and was served by Certified Mail, Return Receipt Requested, to the following

Jamie W. Howell, Jr.

Charles N. Smith

Chathan Gilder Howell Pittman PLLC

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Hernando, MS 38632

Attorneys for Plaintiff

Respectfully submitted this 26th day of August, 2022

/s/ James Burd

James Burd